

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
IN SEATTLE

4 UNITED STATES OF AMERICA,)
5 Plaintiff,)
6 vs.)
7 JAMES EARNEST UJAAMA,)
8 Defendant.)
9)
10 NO. CR02-283BJR

REVOCATION OF SUPERVISED RELEASE HEARING

BEFORE THE HONORABLE BARBARA J. ROTHSTEIN

February 7, 2007

APPEARANCES:

19 Todd Greenberg
Eric Bruce
Assistant United States Attorneys
20 Representing the Plaintiff

22 Peter Offenbecher
Attorney at Law
Representing the Defendant

1 THE COURT: Good morning all. Counsel, do you want to
2 make your appearances?

3 MR. BRUCE: Good morning, your Honor. I am Eric Bruce.
4 With the Court's permission, I will be appearing today for the
5 government, along with my colleague Todd Greenberg. Also with us
6 is US Probation Officer Mike Larsen.

7 MR. OFFENBECHER: Peter Offenbecher appearing for
8 Mr. Ujaama. Good morning, your Honor.

9 THE COURT: Good morning. Are we ready to proceed?

10 MR. BRUCE: Yes, your Honor.

11 THE COURT: Mr. Bruce, do you want to address the Court?

12 MR. BRUCE: Certainly, your Honor. We are here today,
13 as you know, on a violation of supervised release for the
14 defendant James Ujaama. There are four violations that have been
15 brought against the defendant. At this time I will read them.

16 Violation number one is making false statements to a federal
17 officer in violation of 18 USC 1001, on or about December 2nd,
18 2006, in violation of the standard condition that he violate no
19 federal, state or local laws.

20 Violation number two is failing to follow the instructions of
21 the probation officer on or about December 3rd, 2006, in
22 violation of standard condition number three.

23 The third violation is possessing a Mexican passport in the
24 name of Jose Luis Ramirez-Ramirez on or about December 18th,
25 2006, in violation of the special condition that he not possess

1 any passport or any other form of identification in any other
2 name other than his true legal name without prior written
3 approval of the probation officer.

4 And, finally, the fourth violation is leaving the United
5 States without permission of the Court or probation officer on or
6 about December 5th, 2006, in violation of standard condition
7 number one.

8 The violations carry a maximum penalty, your Honor, of 24
9 months.

10 THE COURT: Thank you, Mr. Bruce. Mr. Offenbecher.

11 MR. OFFENBECHER: Your Honor, I have reviewed the
12 allegations and the evidence supporting them with Mr. Ujaama. He
13 admits each of the allegations.

14 THE COURT: Is that correct, Mr. Ujaama?

15 THE DEFENDANT: Yes.

16 THE COURT: You are admitting each of the allegations
17 that were just read to the Court?

18 THE DEFENDANT: Yes, your Honor.

19 THE COURT: If you will rise and approached the lectern
20 with your attorney? The Court having heard -- Is there anything
21 else you wanted to say, Mr. Offenbecher?

22 MR. OFFENBECHER: Mr. Ujaama has asked me to speak on
23 his behalf briefly this morning.

24 Your Honor, Mr. Ujaama would like the Court to know that he
25 deeply regrets his conduct over the past few months. He fully

1 accepts responsibility for his actions. There were many personal
2 and human factors that led to the events of the past months but
3 Mr. Ujaama fully understands that he alone is the person who made
4 these bad choices and that he alone is the person that will be
5 held accountable by the Court. He realizes there are
6 consequences for those choices, and he accepts the sentence that
7 you will impose here today as one of those consequences.

8 He would also like to apologize to the United States
9 Probation Service for his failure to fully comply with all the
10 conditions of the supervision. And he would like to apologize to
11 the government for these events. He knows that throughout the
12 case that is before the Court that the government has treated him
13 fairly.

14 Finally, and most importantly, he would like to thank the
15 Court for the trust that you put in him, and he deeply regrets
16 that he did not follow through for you. He sincerely apologizes
17 for his failure to successfully complete the sentence that you
18 imposed four years ago.

19 He is prepared to accept the sentence that you are imposing
20 today.

21 THE COURT: Thank you, Mr. Offenbecher. Is there
22 anything you wish to say, Mr. Ujaama?

23 THE DEFENDANT: Yes, your Honor. I would like to just
24 say I am very very sorry.

25 THE COURT: Anything the government wants to add?

1 MR. BRUCE: No, not at this time, your Honor.

2 THE COURT: Well, Mr. Ujaama, I am sorry that we are all
3 here today under these circumstances. You did violate the
4 Court's trust in you. These are serious violations. The Court
5 was willing to go along with what was indeed a rather lenient
6 sentence at the time. But given the seriousness of these
7 violations, I feel compelled at this time to impose the maximum
8 that is permissible under the law, and that is a two year, 24
9 months, sentence.

10 Again, I am sorry that we reached this impasse. Whatever
11 your reasons were, it is still, again, a serious violation.

12 Is there anything further that I need specify at this time or
13 does the government have an order for me to sign?

14 MR. BRUCE: We do. We have the judgment here. I will
15 hand it to Mr. Offenbecher.

16 MR. OFFENBECHER: May I approach the bench, your Honor?

17 THE COURT: Please. Okay. I have entered the order.

18 MR. BRUCE: Thank you, your Honor.

19 THE COURT: If there is nothing further --

20 MR. BRUCE: The only thing I would add, your Honor, is
21 just to clarify and make sure everyone understands that there is
22 no remaining supervised release attached to that original
23 conviction.

24 THE COURT: That is the Court's understanding. All the
25 Court is doing at this time is imposing 24 months. There will be

1 no additional supervised release.

2 MR. BRUCE: Thank you.

3 MR. OFFENBECHER: Thank you, your Honor.

4 (Adjourned)

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1 CERTIFICATE
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89 I, Barry L. Fanning, Official Court Reporter, do hereby
certify that the foregoing transcript is true and correct.

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11 S/Barry L. Fanning

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Barry L. Fanning

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